



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

2 9 2016

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

Jill Lewandowski
U.S. Department of the Interior
Bureau of Ocean Energy Management
45600 Woodland Road (VAM-OEP)
Sterling, Virginia 20166-9216

Dear Ms. Lewandowski:

In accordance with our responsibilities under Section 309 of the Clean Air Act and the National Environmental Policy Act, the Environmental Protection Agency (EPA) has reviewed the Bureau of Ocean Energy Management's (BOEM) draft Programmatic Environmental Impact Statement (PEIS) for the Gulf of Mexico Outer Continental Shelf Proposed Geological and Geophysical Activities in the Gulf of Mexico (CEQ No. 20160222).

The BOEM evaluated the potential environmental impacts of multiple geological and geophysical (G&G) survey activities in the Western, Central, and Eastern Planning Areas in the Gulf of Mexico. The G&G surveys are conducted to provide data to inform business decisions about the development of oil and gas reserves, locate and evaluate marine mineral deposits, provide engineering data for developing renewable energy projects, identify geologic hazards and benthic hazards to avoid, and aid in the location and avoidance of archaeological sites. The alternatives considered evaluated ways to minimize the potential impacts to marine mammals and other marine life sensitive to the G&G survey techniques contemplated in the PEIS.

The Council on Environmental Quality's (CEQ) Final Guidance on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in National Environmental Policy Act Reviews (Guidance) describes how agencies should meet their obligation under NEPA to consider the effects of greenhouse gas (GHG) emissions and climate change when evaluating proposed federal actions. The obligation to consider climate change includes programmatic NEPA documents, as well as subsequently tiered NEPA documents. It makes sense to consider climate at the programmatic EIS stage, because that is the level at which these issues are more meaningfully reviewed, and it will save time in the end compared to evaluating the program through many individual permitting decisions. We strongly encourage BOEM to consider including an assessment of the potential range of GHG emissions and climate change impacts associated with the planned or foreseeably anticipated future actions that would prompt tiered documents for this PEIS.

EPA has rated the draft PEIS as LO – “Lack of Objections.” A summary of EPA’s rating is enclosed.

We appreciate the opportunity to review this draft PEIS, and look forward to reviewing the final PEIS related to this project. My point of contact for this review is Candi Schaedle at (202) 564-6121.

Sincerely,

A handwritten signature in black ink, appearing to read "Kaitiff for", written over the printed name "Robert Tomiak".

Robert Tomiak
Director
Office of Federal Activities

Enclosure

SUMMARY OF EPA RATING DEFINITIONS*

This rating system was developed as a means to summarize the U.S. Environmental Protection Agency's (EPA) level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the Environmental Impact Statement (EIS).

ENVIRONMENTAL IMPACT OF THE ACTION

"LO" (Lack of Objections)

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

"EC" (Environmental Concerns)

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)

The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

"EU" (Environmentally Unsatisfactory)

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

ADEQUACY OF THE IMPACT STATEMENT

"Category 1" (Adequate)

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

"Category 2" (Insufficient Information)

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

"Category 3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640, Policy and Procedures for the Review of Federal Actions Impacting the Environment